

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civ. No. 98-4253

THE CITY OF PHILADELPHIA; EDWARD  
G. RENDELL, MAYOR OF THE CITY OF  
PHILADELPHIA; ESTELLE B. RICHMAN,  
COMMISSIONER, HEALTH DEPARTMENT;  
EPISCOPAL LONG TERM CARE, AS  
OPERATORS OF THE PHILADELPHIA  
NURSING HOME,

Defendants.

UNITED STATES' UNCONTESTED MOTION  
TO ENTER SETTLEMENT AGREEMENT

The United States of America, by and through counsel, hereby moves the Court to approve and enter the Settlement Agreement in this matter, which is being filed contemporaneously with the Complaint and this Motion. This Motion is uncontested.

This case was instituted by the United States pursuant to the Civil Rights of Institutionalized Persons Act ("CRIPA"), 42 U.S.C. § 1997, and pursuant to the False Claims Act, 31 U.S.C. § 3729 et seq.

For the purpose of avoiding protracted and adversarial litigation, the parties entering into this Settlement Agreement agree to the provisions set forth herein. The parties agree that the provisions of the Settlement Agreement are a lawful, fair and appropriate resolution of this case.

Therefore, the United States hereby respectfully requests that the Court approve the accompanying Settlement Agreement and enter it as an Order of the Court.

Respectfully submitted,

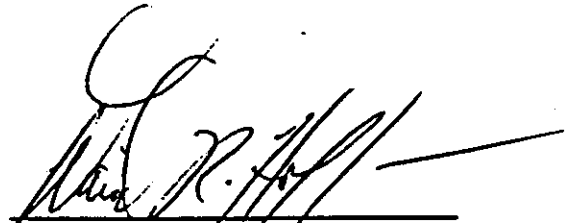
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Acting Assistant  
Attorney General  
Civil Rights Division

**JAMES G. SHEEHAN**  
Assistant U.S. Attorney  
Chief, Civil Division  
Eastern District of  
Pennsylvania

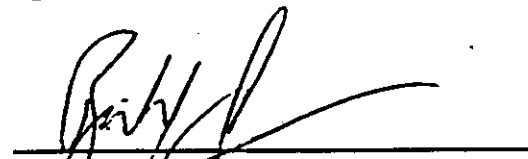
**STEVEN H. ROSENBAUM**  
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Special Litigation Section

**ROBINSUE FROHBOESE**  
Deputy Chief  
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CERTIFICATE OF SERVICE

I, David R. Hoffman, Assistant United States Attorney,  
hereby certify that a true and correct copy of the within United  
States' Uncontested Motion to Enter Settlement Agreement was sent  
via first class mail to:

Lewis Morris  
Assistant Inspector General for Legal Affairs  
U.S. Dept. of Health and Human Services  
330 Independence Ave., S.W.  
Washington, D.C. 20201

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DAVID R. HOFFMAN  
Assistant United States Attorney

Date: August 13, 1998